

**POST & SCHELL, P.C.**  
BY: JOSEPH R. FOWLER  
I.D. #: 55661  
1800 JOHN F. KENNEDY BLVD.  
PHILADELPHIA, PA 19103-7480  
215-587-1000

ATTORNEYS FOR DEFENDANTS  
PEDRO ORTIZ and SHAN-LOR  
TRUCKING EQUIPMENT

DEBBIE FISHER

Plaintiff,

v.

PEDRO ORTIZ and SHAN-LOR TRUCKING  
EQUIPMENT

Defendant,

and

PAUL LENAROSON

Additional Defendant.

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA

NO.

**PETITION FOR NOTICE OF REMOVAL OF  
DEFENDANTS, PEDRO ORTIZ AND SHAN-LOR TRUCKING EQUIPMENT**

**TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT  
COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA:**

Removing parties, Pedro Ortiz and Shan-Lor Trucking Equipment, by and through their undersigned attorneys, file the following Notice of Removal for the purpose of removing this civil action to the United States District Court for the Eastern District of Pennsylvania, and in support thereof, aver as follows:

1. Removing parties are Defendants in the above-entitled action.
2. Plaintiff's commenced this action by filing a Praecipe to Issue Writ of Summons in the Philadelphia County Court of Common Pleas on or about January 9, 2002. Plaintiff

served Defendants with copy of the Complaint on or about April 15, 2002. A true and correct copy of the Complaint is attached hereto as Exhibit "A."

3. The above-entitled action wholly involves citizens and corporations of different states. At the time of commencement of the above-entitled action, and since that time, Plaintiff is an individual who resides in Pennsylvania. Defendant, Pedro Ortiz, resides in the State of New York. Defendant, Shan-Lor Trucking Equipment, is a New York corporation, with a principal place of business in Forestville, New York.
4. On April 19, 2002, Defendant filed a Praecipe for Issuance of Writ of Summons to join Paul Lenaroson as an Additional Defendant. Paul Lenaroson is a citizen of the State of Maryland. A true and correct copy of the docket is attached hereto as Exhibit "B."
5. Paul Lenaroson is an individual who resides in a different state. Therefore, diversity of citizenship will still exist after the joinder of this party.
6. The amount in controversy, exclusive of interest and costs, is in excess of \$75,000.00.
7. This Court, therefore, has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. §1332, and the action may be therefore removed to this Court pursuant to 28 U.S.C. §1441(b).
8. This Notice of Removal is filed with this Court within 30 days after service of the Complaint on the Removing parties.
9. Removing parties have, simultaneously with the filing of this Notice of Removal, given written notice to counsel for Plaintiff and Additional Defendant, Paul Lenaroson.
10. Removing parties have filed a copy of this Notice of Removal and attachments with the Prothonotary of the Court of Common Pleas of Philadelphia County.

**WHEREFORE**, Defendants respectfully request that this action be removed to this Honorable Court pursuant to the laws of the United States of America.

Respectfully submitted,

**POST & SCHELL, P.C.**

By: \_\_\_\_\_  
JOSEPH R. FOWLER, ESQUIRE  
Attorney for Defendants

Dated:

**POST & SCHELL, P.C.**  
BY: JOSEPH R. FOWLER  
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ATTORNEYS FOR DEFENDANTS  
PEDRO ORTIZ and SHAN-LOR  
TRUCKING EQUIPMENT

DEBBIE FISHER

Plaintiff,

v.

PEDRO ORTIZ and SHAN-LOR TRUCKING  
EQUIPMENT

Defendant.

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA

NO.

**NOTICE OF REMOVAL OF DEFENDANTS,**  
**DEFENDANTS, PEDRO ORTIZ AND SHAN-LOR TRUCKING EQUIPMENT**

TO: The Prothonotary  
Philadelphia County Court of Common Pleas

Peter N. Munsing, Esquire  
939 Penn Avenue  
Wyomissing, PA 19610

David C. Ray, Esquire  
140 East State Street  
P.O. Box 1287  
Doylestown, PA 18901

Please take Notice that on May 30, 2002, Defendants, Pedro Ortiz and Shan-Lor Trucking Equipment, filed in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania, the within Notice of Removal.

The Notice of Removal is also being filed with the Court of Common Pleas of Philadelphia County pursuant to 28 U.S.C. §1446(d). A Praecipe to Remove the case from the Philadelphia County Dockets will be filed after the federal court assigns this matter an appropriate number.

Respectfully submitted,

**POST & SCHELL, P.C.**

By: \_\_\_\_\_  
JOSEPH R. FOWLER, ESQUIRE  
Attorney for Defendants

Dated:

**POST & SCHELL, P.C.**  
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ATTORNEYS FOR DEFENDANTS  
PEDRO ORTIZ and SHAN-LOR  
TRUCKING EQUIPMENT

DEBBIE FISHER

Plaintiff,

v.

PEDRO ORTIZ and SHAN-LOR TRUCKING  
EQUIPMENT

Defendant.

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA

NO. : 02-CV-3460

**PRAECIPE FOR REMOVAL**

Pursuant to 28 U.S.C. § 1446(d), Defendants, Pedro Ortiz and Shan-Lor Trucking Equipment, hereby file a copy of the Notice of Removal filed with the Clerk of the United States District Court for the Eastern District of Pennsylvania on May 30, 2002.

Please note that it has been assigned Civil Action No. 02-CV-3460 as per the attached certified Notice of Removal.

Respectfully submitted,

**POST & SCHELL, P.C.**

BY: \_\_\_\_\_  
JOSEPH R. FOWLER, ESQUIRE  
Attorney for Defendant, Shan-Lor  
Trucking and Pedro Ortiz

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Notice for Removal has been served on all interested parties listed below via first class mail, postage pre-paid on May 30, 2002.

Peter N. Munsing, Esquire  
939 Penn Avenue  
Wyomissing PA 19610

David C. Ray, Esquire  
Plakins, Rieffel & Ray  
The John Barclay House – 1814  
140 East State Street  
P.O. Box 1287  
Doylestown, PA 18901

**POST & SCHELL, P.C.**

BY: \_\_\_\_\_  
JOSEPH R. FOWLER, ESQUIRE  
Attorney for Defendants